

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

OCTZAVIUS MOORE

PLAINTIFF

V.

CIVIL ACTION NO. 3:21-CV-521-KHJ-MTP

CCSI, INC. and CISSYE CARTHAN

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Michael T. Parker. [23]. That Report recommends that the Court dismiss Plaintiff Jocelyn Lemon's claim with prejudice for failure to prosecute and failure to comply with the Court's orders. *Id.* Written objections to the Report were due by March 16, 2022. *Id.* The Report notified the parties that failure to file written objections to the findings and recommendations by that date would bar further appeal in accordance with 28 U.S.C. § 636. *Id.*

When no party objects to a magistrate judge's report and recommendation, the Court need not review it de novo. 28 U.S.C. § 636(b)(1). The Court can apply the clearly erroneous, abuse of discretion, and contrary to law standards of review. *See United States v. Brigham*, 569 F.3d 220, 228 (5th Cir. 2009) (citation omitted).

Lemon failed to respond to at least three of the Court's prior orders. *See* [23] at 1–2. As a result, the Magistrate Judge found that Lemon's failure to prosecute and failure to comply with the Court's orders warrants dismissal of her claims with prejudice under Federal Rule of Civil Procedure 41(b). *Id.* at 3. Lemon did not object

to this Report and Recommendation. The Court finds that the Report and Recommendation is neither clearly erroneous nor contrary to law and should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Report and Recommendation [23] of United States Magistrate Judge Michael T. Parker, entered in this cause should be, and the same is, adopted as the finding of this Court.

IT IS, FURTHER, ORDERED AND ADJUDGED that Plaintiff Lemon's claims are DISMISSED WITH PREJUDICE.

SO ORDERED, this the 21st day of March, 2022.

s/ *Kristi H. Johnson*
UNITED STATES DISTRICT JUDGE